

## PRIVATE MEMORANDUM

*Regarding the Position of the undersigned in the Customs Service at Montreal.*

The undersigned entered the Service as a Tidewaiter in 1866 ; was appointed a clerk in the Collector's office in 1868, to assist in the correspondence and general office work ; the appointment was confirmed in July, 1869, since which date the writer has, practically, discharged the functions of Collector's deputy, or assistant, by giving not only personal attention and thought to the most important correspondence, but aid in the most important administrative work of the Collector's office. In November, 1873, the undersigned had his salary increased to \$1,000 per annum, but has never made any progress since, in the way of emolument, although the testimony of facts will, he thinks, indicate that the nature of his work steadily increased in importance and usefulness. The following are some of the written opinions of his superiors anent this matter :—

The Hon. Sir Leonard Tilley—to whom the undersigned owes his appointment—was good enough to write to him as follows, under date the 5th January, 1871 : “ I wish you every success in life, to which your talents and application “ entitle you to look,” &c., &c.

On the 3th April, 1873, the honorable gentleman, then Minister of Finance, very kindly wrote as follows :

“ I will very gladly express to my successor (Hon. Dr. Tupper) the value I “ attach to your services, and the faithful manner in which you have discharged “ them entitling you to his most favorable consideration. \* \* \* \* “ I will always be glad to hear of your advancement in the Service.”

In June, 1873, Mr Collector Delisle recommended that the writer be authorized to take bonds and administer oaths for Customs purposes, so as to assist him in that respect also, and further, recommended his promotion to the rank of Secretary in the Customs, stating : “ In the absence of the Collector from “ any cause, he is represented by his chief clerk, and Mr. O'Hara, a clerk, does really almost all the business of the Collector himself.”

In September, 1875, an enquiry was held into the administration and affairs of the Montreal Custom House ; the Commissioner called upon every officer to state what he conceived his duties to be, prior to ascertaining how he performed them. The writer's statement was as follows :

“ My duties have been for a number of years past, and are, I conceive, to “ carry on the correspondence of this office under the direction of the Collector, “ and to assist him generally in the conduct of the business of the Port.”

Mr. Collector Simpson, in handing to the Commissioner (Mr. Duncomb) those statements, on the 14th September, 1875, thought proper to endorse the undersigned thus :

" In my opinion, the proper person to act *pro* Collector is his confidential clerk or Secretary, for he beyond all others is best acquainted with the business of the Collector's office, and the mode in which the Collector desires it to be performed."

And, again, under the head " The Collector's Secretary," he wrote :

" I cannot but admire Mr. O'Hara's modest statement of his duties, and particularly so when I consider the varied character of his work and the method with which he performs it ; in fact, he has so identified himself with the Collector's office and made himself so intimately acquainted with its ramifications, that I consider he alone should represent the Collector during his temporary or unavoidable absence. Mr. O'Hara only ranks as clerk on the books of the office, but has been promised by the Minister of Customs to be promoted to the rank of SECRETARY, with, I trust, an increase of salary."

Reference to Mr. Commissioner Duncomb's report will show his opinion. The report is a sealed book in the office of the Commissioner of Customs.

On the 5th June, 1878, the undersigned was officially desired to assist in the duties of Acting-Collector, by Mr. Collector Simpson ; and, in September last, in the absence of the Surveyor of the Port, was placed in charge of the Port by Mr. Collector Simpson, during his temporary and unavoidable absence. [See letter of instruction hereto attached.

The foregoing will, the undersigned hopes, indicate, to some extent, to the Hon. Minister of Customs and the Government, the nature of his position of service here—namely, that he has been for nearly ten years past, to all intents and purposes, Assistant or Sub-Collector of the Port of Montreal, and was called upon to furnish a large portion of the thought, labor, judgment and business knowledge—as well as the greater part of the desk drudgery—necessary to the administration of the Collectorship of the chief port of this Dominion—a larger share, indeed, than he could, perhaps, expect credit for, however ordinarily just or generous his immediate superior might be in his representations to the Department on such a subject. Be that as it may, the fact ought to be well established now, that the administration of the office of Collector at this port calls for more actual work than one man, unassisted, can cope with, no matter how able or assiduous he may be—whereas, the interests of the service require some time for the exercise of general supervision—a necessity which has been somewhat neglected at Montreal, simply for want of a *duly authorized Collector's Assistant*. Heretofore, the undersigned has suffered from the above facts not

being known to, or properly appreciated by the Department; but he hopes, now that they have been authoritatively established, that recognition, although tardy, may be soon followed by tangible reward to one who has long been patient under hard work, performed without personal credit, for very poor pay.

W. J. O'HARA.

December 15th, 1879.

Copy of my Official Application to the Honorable MacKenzie Bowell, Minister of Customs, praying for promotion and pay—adequate to the position I have virtually filled for years without proper recognition or reward :—

CUSTOM HOUSE, MONTREAL,

4th March, 1879.

SIR,

I beg hereby to make application for promotion to the position of Assistant or Deputy-Collector of Customs at the Port of Montreal. I base my prayer on the fact that I have performed the duties of such a position for nearly ten years, without suitable recognition or adequate remuneration by the Department, but with every satisfaction, I have reason to believe to my immediate superior (the Collector) *under two incumbencies*.

I entered the Service in 1866, and the Collector's office in 1868, and since 1869 have rendered more or less assistance in the important administrative work of the office, while sharing largely its burden of mental labour and actual routine. Under the Department as constituted prior to the Autumn of 1873, I had some ground to hope that my services would gradually come to be recognized and rewarded; but, since that time, I have remained in forgetfulness and obscurity, and, although my situation did not improve in rank or pay, it did not, I venture to think, decrease in labour or usefulness.

Officers of Customs in the United States rendering services similar to mine are called "Deputy-Collectors" (there are several at the large ports); and it is scarcely necessary to say they are remunerated in accordance with the positions they fill; not, as in my case for years, required to assist in important administrative work at a clerk's rank and salary. I trust that my case will now be looked into and considered, and I have no doubt the result will shew that compliance with my prayer will be no more than an act of tardy justice, which I shall nevertheless appreciate as coming at a time when, perhaps, most needed, and be grateful for in word and deed, as in duty bound.

I have the honor to be &c., &c.,

(Signed), W. J. O'HARA.

Mr. Collector Simpson transmitted the above with a strong recommendation, stating that he had in different and many ways brought the applicants case before the Department. He considered it a great injustice, the retaining the services of so talented a man at the miserably small stipend of \$1000, *while other officers in much inferior positions were* receiving much higher salaries. The late Minister promised to remedy this repeatedly, but never did do anything for Mr. O'Hara. There is no doubt Mr. O'Hara with his qualifications, his knowledge of Customs law and practice could do better in some of the Mercantile Houses of this city; and unless something is done for him at once, the Department will probably lose his services which he (Mr. Simpson) would deplore as a serious loss to the Department. He trusted, therefore, the Government would grant Mr. O'Hara a salary adequate to his position, and rank, in accordance therewith.

4th March, 1879.

CUSTOM HOUSE, MONTREAL,  
3rd June, 1879.

MY DEAR SIR,

In the hope which you were good enough to inculcate, I ask leave to refer to my application for promotion and increase of salary; and, in order to strengthen your hands when recommending my claims in the Council, I enclose herewith memoranda which will show, to some extent, the nature of the services I have been rendering here for years, unknown, I must presume, to the Government—since I have been left to plod away so long in obscurity and neglect.

An impartial consideration of the facts of my case will be found, I trust, to warrant my request for promotion to the position I have been *actually* filling during all these years—namely that of sub—or Deputy-Collector.

In my official application, I refrained from suggesting any figures as to salary, supposing that both yourself and the Government would recognize that the position was worth at least \$2000. To be in keeping with my work and wants, this is certainly the smallest increase, I can reasonably expect. I make this request with full knowledge and appreciation of the desire of the Government to economize here, especially owing to the large increase of expenditure under the administration of 1873-78.

I have had some share in pointing out to what that increase is attributable and in thinking out a preliminary plan of reduction; and will, no doubt, if I remain here, have much to do in helping into operation any scheme of economy and reform that may be adopted. But, I cannot believe that the Government

will follow up their predecessors' neglect of me by visiting upon me the consequence of their predecessors' extravagance

That would, in my case, be sacrificing justice to retrenchment with a vengeance, practically holding me responsible for what I had no control over and did not profit by, while permitting the same to continue and prevail, in other cases for which neither efficiency nor long vested rights, so to speak, could be put forth as a warrant.

In conclusion, let me say I owe my appointment to the present Minister of Finance—Sir Samuel L. Tilley, to whom, it may not be out of place for me to refer you for any further account of my career, since—say 1868, when I was appointed to my present duties, having previously been a Tidewaiter and Locker.

With every belief in an earnest desire on your part to deal with cases fairly—on their merits,—allow me to subscribe myself, my dear sir,

Your very devoted and faithful servant.

(Signed), W. J. O'HARA.

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CUSTOM HOUSE, MONTREAL,  
13th September, 1879.

MY DEAR SIR,

With a view to the strengthening of your hands in the accomplishment of whatever intentions you may have in regard to the improvement of my position in the service here, let me suggest to you the bringing of the subject before Council when Sir Leonard Tilley is present for he is more familiar, than probably any other member of the ministry, with my career in the Customs service and the nature of the position I occupy and the duties I perform and have performed for years.

When taking his leave of the Customs Department for that of Finance in April, 1873, he was good enough to write me as follows:—"I will very gladly express to my successor (Hon. Dr. Tupper) the value I attach to your services and the faithful manner in which you have discharged them entitling you to his most favorable consideration \* \* \* I will always be glad to hear of your advancement in the Service."

Unfortunately the change of 1873, took place some months afterwards, and my position has never improved since in rank or pay, although it has steadily increased in labor and responsibility, and in the important nature of the assistance rendered constantly to the administrative officer of this establishment.



Heretofore, I suffered from those facts not being known to the head of the Department and the Government; but now that they have been admitted and made known officially and otherwise to the Department, I naturally expect that such services will not only be officially and suitably recognized but adequately remunerated, and that I shall not be allowed to continue as *Assistant Collector* at a *clerk's* salary.

There is no case of neglect and want of consideration at the Port, so great as mine. The circumstances show it and I feel it.

For several years prior to 1873, (as well as since) I practically performed the most important, mental and administrative work of this office, while the credit therefor was distributed in other quarters, so far as the Department was concerned, although it was neither unknown to nor unappreciated by the mercantile community and the public familiar with Custom House work. Ten years is a long time to render important administrative services with only a clerk's recognition and salary and without even the credit of the facts; and, I confess, it has now tested my patience to the utmost. If the Government to which I owe my original appointment, embracing Ministers who are best acquainted with my antecedents and familiar now with the actual circumstances of my case, to whom recommendations have gone in my behalf from friendly sources in which they are wont to have confidence—cannot do me simple justice, then I must begin to despair of being able to attain (however I might work for or merit it) advancement in the Public Service of the Dominion; and I must look for success in some other channel where the personal interest of those served may be able to prevail against narrowness, jealousy and sectionalism, which are found in the public service and met with even by Ministers of the Crown when they seek to carry out their views for the benefit of their departments. In any event, I am sensible of and grateful for what I believe to be an earnest wish on your part to accomplish what you believe to be fair and right in my case, and with the assurance of my respectful and sincere regard. I beg to remain, dear sir,

Yours faithfully,

(Signed), W. J. O'HARA.

Honorable MacKenzie Bowell, Minister of Customs. Ottawa.

Letters to Sir Leonard Tilley on the same subject:—

CUSTOM HOUSE.

Montreal, 27th September, 1879.

DEAR SIR LEONARD TILLEY.

Pardon me if I trouble you with a personal matter, but as you are the member of the Government most conversant with my career in the Customs, I am under the necessity of asking you to give me what support you think I deserve in regard to any recommendation that may be made to Council by the head of my own Department.

I believe the Hon. Mr. Bowell recognizes that there is no comparison between my salary and rank, and the duties I perform, and he has some intention of improving the two former; but as he may meet with some difficulty in view of the economic desires of the Government, I look to you to prevent the sacrifice of justice to economy, if you think the case warrants better treatment. I hope I am not expecting too much, but I feel that I have been neglected since 1873. I am in the same position to-day that I was when the Hon. Dr. Tupper retired from the Customs Department, in regard to rank and pay, while in regard to the nature and extent of my services in administrative work here, I venture to think, they have certainly had an upward tendency.

I enclose copy of my application for promotion recommended by the Collector—paper A; a memorandum of the opinions of my superiors anent my services here, including favorable ones kindly expressed by yourself—paper B; and, lastly paper C, showing the confidence reposed in my ability to do administrative work by my immediate superior—it, also, shows that in point of capacity, I am held to rank next to the Surveyor. I naturally think that, under the circumstances, there should not be such a contrast between my actual position—its remuneration, and the important help rendered. I am asking for double my present salary—namely for \$2000 per annum. My chief gets \$4000; the Surveyor, \$2,400; I get \$1000!

Yours faithfully,

(Signed), W. J. O'HARA.

[COPY]

OFFICE OF COLLECTOR OF CUSTOMS.

Montreal, 12th September, 1879.

Mr. W. J. O'Hara is hereby authorized to act for me during my absence from the Port of Montreal, to-morrow, and on such days as the Surveyor is not present, and to sign his name as Acting Collector.

(Signed),

W. B. SIMPSON,  
Collector.

CUSTOM HOUSE, MONTREAL,  
2nd October, 1879.

DEAR SIR LEONARD TILLEY,

I am thankful to you for your kind answer.

It is a pretty large jump, I admit ; but if I could get the facts upon which the expectation is based laid fully before the Government (authoritatively,—not by myself) they would, I think, be held to justify a jump which ought to have been made by stages ere this. I have been so long stationary, in point of salary, (since 1873) while always progressing in the value and extent of intellectual and administrative assistance rendered my official chief, that I feel a good jump, in that respect, would not be out of order now. However it may appear, it is really an unpleasant task to me to blow my own horn. It would be far more satisfactory and, I have no doubt, doubly effectual if a full and clear blast were blown from it, by those who could do so with better grace than I can, and whose duty it is to do so. But, having waited ten years for such a service, I may, I think, be pardoned, if I find myself forced at last to take up the trumpet in my own cause.

Ten years ago, I was practically the Acting-Collector of this Port in the absence of Mr. Delisle, to whom he avowedly looked for the conduct of his office while he was away ; and, at all times, I was his Assistant in some of his most important duties, while I shared largely the burden of office routine. I have never ceased to render these important services ; on the contrary, they have extended as I grew in judgment and experience. They were an absolute necessity too ; as no one man, without such assistance, could cope with the labours of the position. Mr. Delisle, in a sort of a way, admitted this in a report to the Hon. Dr. Tupper in 1873—too late, however, to help me. The present Collector has recognized it to the extent of appointing me to act for him in case of temporary absence, when the Surveyor is not present—thereby making me rank in importance, ability and position next to the Surveyor. From this I turn to my official rank and salary as a clerk ; and I am sensible of the contrast and incongruity, not to say injustice, since I have, so far, put up with the situation.

Yours faithfully,  
(Signed), W. J. O'HARA.